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THE

CONTEMPLATED MEDICAL ACT

FOR THE

DOMINION OF CANADA,

AS AMENDED AT THE THIRD ANNUAL MEETING OF THE CANADIAN MEDICAL ASSOCIATION,

AT OTTAWA, SEPT., 1870, WITH THE AMENDMENT PROPOSED AT THE FOURTH ANNUAL MEETING HELD AT QUEBEC IN SEPT., 1871.

BILL.

WHEREAS, it is expedient that persons requiring medical aid, should be enabled to distinguish qualified from unqualified Practitioners, and that the laws and regulations for the education, examination, and registration of Practitioners of Medicine, Surgery, and Midwifery should be uniform and similar throughout the Dominion of Canada; Therefore Her Majesty, by and with the advice and consent of both Houses of Parliament of the Dominion of Canada, in this present Parliament assembled, enacts as follows:—

I. This Act may, for all purposes, be cited as "The Medical Act of the Dominion of Canada."

II. The Medical Profession of the Dominion of Canada is hereby incorporated under the name and style of "The College of Physicians and Surgeons of the Dominion of Canada," and shall have a corporate seal; and every member of the Medical Profession now holding a license to practice Medicine, Surgery, and Midwifery in any of the several Provinces of the Dominion of Canada shall be and is hereby made a member of the said "College of Physicians and Surgeons of the Dominion of Canada;" and every person who may be registered hereafter, under the provisions of this Act, shall be a member of the said College.

III. There shall be a "Council of the College of Physicians and Surgeons of the Dominion of Canada," to be appointed in the manner hereinafter provided for in this Act, and referred to this Act as the "General Council."

IV. The General Council shall be composed of thirty members :—

Ten representing the Province of.....	Ontario.
Ten representing the Province of	Quebec.
Five representing the Province of.....	Nova Scotia.
Five representing the Province of.....	New Brunswick.

In accordance with the following plan: each University or College actually exercising medical functions by a staff of teachers or a Board of Examiners regularly conferring Medical degrees shall have the privilege of sending one representative to the General Council, and the remainder for each section shall be elected by the registered members of the College of Physicians and Surgeons of the Dominion of Canada, resident in each section respectively, not connected with the teaching or examining bodies alluded to in this Act.

Thus at present the representatives of the Province of Ontario shall consist of one member from and chosen by each of the following bodies actually exercising Medical functions, that is to say :—

The University of Toronto.
" " Victoria College.
" " Queen's.
" " Trinity.
" Toronto School of Medicine.
" Royal College of Physicians and Surgeons, of Kingston.

Making six representatives from these bodies, and of four members to be elected in the manner hereinafter provided by the registered members of the Medical Profession resident in Ontario, not connected with the teaching or examining bodies alluded to in this Act.

At present the representatives of the Province of Quebec shall consist of one member from, and chosen by, each of the following bodies actually exercising Medical functions, that is to say:—

The University of McGill.
" " " Laval.

At the Quebec Meeting Dr. Craik moved, seconded by Dr. McCallum, the following amendment :—

The General Council shall consist of fifteen members, to be elected in the manner hereinafter provided from amongst the registered members of the Medical Profession in the Dominion of Canada, not employed as teachers or examiners in any of the Universities or bodies mentioned in this Act, by the registered members of the Medical Profession in this Dominion, of whom five shall be residents of Ontario, five shall be residents of Quebec, three shall be residents of Nova Scotia, and two shall be residents of New Brunswick, and of fifteen members chosen from time by the Universities and bodies hereinafter designated, of whom five shall represent the Universities and bodies of Ontario, five shall represent the Universities and bodies of Quebec, two shall represent the Universities and bodies of Nova Scotia, and three shall represent the Universities and bodies of New Brunswick, in accordance with the following plan: one person is chosen from time to time by each of the following Universities or bodies, that is to say—

The Toronto School of Medicine...
" University of Victoria College.....
" University of Trinity College
" Royal College of Physicians and Surgeons of Kingston.....
The University of McGill College..
" " " Laval .....
Bishop's College, Lennoxville.....
The Montreal School of Medicine..
Dalhousie College, Nova Scotia...

The additional representative of the school interest belonging to Ontario shall be elected at present, and, until an additional Medical School approved by the Council shall have been in actual operation for two years in Ontario, by the whole body of registered members of the Medical Profession of Ontario from amongst the aforesaid members; the additional representatives of the school interest belong-

Bishop's College, Lennoxville.
The Montreal School of Medicine.

(making four representatives from these bodies) and of six members to be elected in the manner hereinafter provided by the registered members of the Medical Profession resident in the Province of Quebec, not connected with the teaching or examining bodies alluded to in this Act.

At present the representatives of the Province of Nova Scotia shall consist of one member chosen by Dalhousie College and four members to be elected in the manner hereinafter provided by the registered members of the Medical Profession in the Province of Nova Scotia not connected with the teaching or examining bodies alluded to in the Act. At present the representation of the Province of New Brunswick shall consist of five (5) members, to be elected in the manner hereinafter provided by the registered members of the Medical Profession in the Province of New Brunswick, not connected with the teaching or examining bodies alluded to in this Act.

Provided always that so soon as there shall have been established in actual operation for two years in any of the aforesaid provinces one or more Universities or bodies exercising Medical functions by a staff of teachers or Board of Examiners regularly conferring Medical degrees and approved of by the General Council other than those designated in this section, or so soon as any of the above designated Universities or bodies shall have ceased to exercise medical functions in either of the above mentioned ways, it shall be competent for the Governor in Council to alter and adjust the representation in accordance with the principle of this section, so that the several provinces shall continue to have the same number of members in the General Council provided for in this section.

ing to Quebec shall be elected at present, and, until an additional Medical School approved by the Council shall have been in actual operation for two years in Quebec, by the whole body of registered members of the Medical Profession of Quebec from amongst the aforesaid members; the additional representative of the school interest belonging to Nova Scotia shall be elected at present, and, until an additional Medical School approved by the Council shall have been in actual operation for two years in Nova Scotia, by the whole body of registered members of the Medical Profession of Nova Scotia from amongst the aforesaid members; and the three representatives of the school interest belonging to New Brunswick shall be elected at present, and, until one or more Medical Schools approved by the Council shall have been in actual operation for two years in New Brunswick, by the whole body of registered members of the Medical Profession belonging to New Brunswick.

Provided always that so soon as there shall have been established, and shall have been in actual operation for two years in any Province of the Dominion a greater number of Medical Schools authorized to grant degrees in Medicine and Surgery, and approved by the General Council, than is provided for in this section, it shall be competent for the Governor and Council so to alter or to add to or take from the representation of the aforesaid Universities and bodies that the teaching bodies in the Provinces of Ontario and Quebec shall have respectively only five representatives in the General Council, and that the teaching bodies in the Province of Nova Scotia shall have two representatives in the General Council, and that the teaching bodies in the Province of New Brunswick shall have three representatives in the General Council.

V. Of the representatives to be elected by the Registered Practitioners of the several Provinces, one shall be elected from each of the Electoral Divisions in the several Provinces respectively mentioned in Schedule A to the Act annexed, by the registered members of the Medical Profession, resident in each Division, and the manner of holding such Election shall be as follows:

The Registrar shall cause to be prepared printed forms with blanks for the name of the person to be elected and the person voting, and shall transmit by mail a registered letter containing one of these forms bearing his own (the Registrar's) signature to every registered member of the Medical Profession in the several Electoral Divisions of the Province, who shall apply for the same. The persons voting shall write the name of the person resident in his Electoral District, for whom he votes in the aforesaid printed form, shall sign his name to the same, and shall transmit the form by mail in a registered letter, to the Registrar, on or before the day named for such Election in section XI of this Act. The General Council at the Annual Meeting immediately preceding such Election, shall appoint Scrutineers to examine and count the votes, and such person as shall have a majority of the votes from the Electoral Division in which he resides shall be declared elected for such Division.

It shall be the duty of the General Registrar, immediately after the election, to inform, in writing, the persons elected, of their election.

VI. When in consequence of the increase or decrease in number in any of the Provinces of the Dominion of Canada of the bodies entitled under section IV of this Act to send representatives to the General Council it becomes necessary to change the number of Electoral Divisions into which each Province is divided in Schedule A annexed to this Act, it shall be the duty and shall be within the power of the General Council at the Annual Meeting immediately preceding the Triennial Election, to rearrange the Electoral Divisions in such Province in accordance with the requirements of the case, and the provisions of section IV of this Act.

VII. At the first election under this Act of members of the General Council, the term "Registered Members of the Medical Profession in the Dominion of Canada," used in clause IV shall be held to mean persons of the "Medical Profession licensed to practice Medicine, Surgery, and Midwifery, in any of the Provinces of the Dominion of Canada."

VIII. All members of the General Council representing the Universities and bodies mentioned in the 4th section must be registered Medical Men.

IX. The members of the General Council shall be appointed or elected, as the case may be, for a period of *three* years; but any member may resign his appointment at any time by letter addressed to the President or Registrar of the said Council; and upon the death or resignation, or removal from Electoral Division, of any member of the said Council, it shall be the duty of the Registrar forthwith to notify the University or body, wherein such vacancy may occur, of such death, or resignation, or removal; and such University or body shall have the power to nominate another duly qualified person to fill such vacancy; or if the vacancy be caused by the death, or resignation, or removal from Electoral Division, of any member elected from the Electoral Divisions, the Registrar shall forthwith cause a new election to be made or held in such Electoral Division, and fix the time of holding it, and shall at least four weeks before the day fixed for such Election give notice thereof by

circular addressed to every registered Practitioner resident in such Electoral Division; and such Election shall be conducted as directed in section V of this Act; but it shall be lawful for the Council during such vacancy to exercise the powers hereinafter mentioned.

X. The first Election under this Act for members to represent the registered members of the Medical Profession shall take place within two months from the final passing of this Act; and the time and places at which such first Election shall be held, and the persons who shall conduct the same, shall be determined by the Governor General in Council; and such persons shall cause a notice of the time and manner of conducting said Election to be sent by circular to every registered Medical Practitioner in the Dominion of Canada at least two weeks before the appointed time for said Election, and the manner of conducting such Election shall be that defined in section V of this Act, the persons appointed to conduct it acting as though they were the registrars and scrutineers appointed by the Council.

XI. Every subsequent Election shall be held on the first Wednesday in July, in every third year after the said first Election; and it shall be the duty of the General Registrar to give notice of the time of holding said Election by circular addressed to every registered Medical Practitioner in the Dominion at least four weeks before the first Wednesday in July.

XII. The General Council shall hold their first meeting in the City of Montreal, on the fifth Wednesday next after the first Election, or at any other convenient period that the Governor General in Council may appoint, and shall make such rules and regulations as to the times of the subsequent meetings of the General Council, and the mode of summoning the same, as to them shall seem expedient, which rules and regulations shall remain in force till altered at any subsequent meeting, notice of such alteration having been given to each member of the Council one month, at least, previous to the time of holding such meeting; and in the absence of any rule or regulation as to the summoning of future meetings of the General Council, it shall be lawful for the President thereof, or in the event of his absence or death, for the Vice-President, on the requisition in writing of any two members of Council to summon the same at such time as to him shall seem fit, by circular letter to be mailed to each member; and all meetings of the General Council, subsequent to the first, shall be held at Toronto and Montreal, alternately, at Halifax and St. John every alternate third year, and that at least four weeks' notice of such meeting be given; and in the event of the absence of the President from any meeting, the Vice-President, or in his absence, some other member to be chosen from among the members present, shall act as Chairman; and all the acts of the General Council shall be decided by the majority of the members present, the whole number not being less than nine; and at all meetings the President, for the time being, shall have a vote only as a member of the Council.

XIII. The General Council shall have power to appoint executive committees out of their own body, of which the quorum shall not be less than three, and to delegate to such committees such of the power and the duties vested in the General Council as the Council may see fit, other than the power of making representations to the Governor General in Council.

XIV. There shall be paid to the members of the Council, only their actual expenses for travelling, board, and lodging.

XV. The General Council shall annually elect from amongst themselves a President, and a Vice-President, and shall appoint, every third

year, a General Treasurer, and a General Registrar, who shall act respectively as General Treasurer, and General Registrar and Secretary for the General Council; and shall also appoint, from time to time, such other officers as may be needed for the purposes of this Act; and every person so appointed by the Council shall be removable at the pleasure of the Council, and shall be paid such salary or fees as the Council shall fix by by-law, or from time to time.

XVI. All monies payable to the Council shall be paid to the Treasurer, and shall be applied to defraying the expenses of carrying this action into execution. Should any surplus income remain after all the necessary expenses of the Council have been paid, it shall be lawful for the Council to apply all or any part of such surplus to any public purposes connected with the Medical Profession, or for the promotion of education in Medicine, and Surgery, or for the advancement of Medical or Surgical Science in any way, as shall be agreed to by two thirds of the members of the Council.

XVII. The General Council shall cause to be kept by the Registrar, a book, or register, to be called the General Register, in which shall be entered, from time to time, the names of all persons who have complied with the enactments hereinafter contained, and with the rules or regulations made or to be made by the Council respecting the qualifications to be required from Practitioners of Medicine, Surgery, and Midwifery in the several Provinces of the Dominion of Canada; and those persons only whose names have been or shall hereafter be inscribed in the General Register above mentioned, shall be deemed to be qualified and licensed to practice Medicine, Surgery, and Midwifery in the several Provinces of the Dominion of Canada; and such General Register shall at all times be open and subject to inspection by any duly registered Practitioner in the Dominion of Canada, or by any other person, on the payment of the fee of twenty-five cents.

XVIII. Where any person entitled to be registered under this Act applies to the Registrar for that purpose, the Registrar shall forthwith enter in a register, in the form set forth in Schedule (B) to this Act, or to the like effect, to be kept by him for that purpose, the name and place of residence, and the qualification or several qualifications in respect of which the person is so entitled, and the date of the registration.

XIX. It shall be the duty of the Registrar to keep the Register correct in accordance with the provisions of this Act and the orders and regulations of the General Council, and to erase the names of all registered persons who shall have died, or removed from the Province, and shall from time to time make the necessary alterations in the addresses or qualifications of the persons registered under this Act; and to enable the Registrar duly to fulfil the duties imposed upon him, it shall be lawful for the Registrar to write a letter to any registered person, addressed to him according to his address on the Register, to enquire whether he has ceased to practice, or has changed his residence, and if no answer shall be returned to such letter within the period of six months from the sending of the letter, it shall be lawful to erase the name of such person from the Register, provided always that the same may be restored by the direction of the General Council, should they think fit to make an order to that effect.

XX. Every member of the Medical Profession who, at the time of the passing of this Act, may be possessed of a *license* to practice Medicine, Surgery, and Midwifery in any of the Provinces of the Dominion of Canada, shall, on the payment of the fee of one dollar, be entitled to be registered on producing to the Registrar of the Branch Council for Ontario,

Quebec, or Nova Scotia and New Brunswick, the document conferring or evidencing the qualification, or each of the qualifications in respect whereof he seeks to be so registered, or upon transmitting by post to such Registrar, information of his name and address, and evidence of the qualification or qualifications, in respect whereof he seeks to be registered, and of the time or times at which the same was or were respectively obtained, provided he register within one year after the final passing of this Act, and every member of the Medical Profession, who, within the period of six months after the final passing of this Act, shall have become possessed of such qualification or qualifications as would have entitled him at the time of passing this Act, to practice Medicine, Surgery, and Midwifery in any of the Provinces of the Dominion of Canada, shall, on complying with the requirements in this section mentioned, and on the payment of a fee to be fixed by a by-law of the General Council, but not to exceed ten dollars, be entitled to be registered.

Any person who has been actually practising Medicine, Surgery, and Midwifery in the Provinces of New Brunswick and Nova Scotia, before the year one thousand eight hundred and fifty-five, shall be entitled to be registered on his producing to the local or General Registrar, an affidavit made before a Justice of the Peace, establishing the fact, and shall pay a fee to be fixed by the General Council.

XXI. Every member of the Medical Profession desirous of being registered under this Act, and who shall not have been possessed of a license to practice Medicine, Surgery, and Midwifery in any of the aforesaid Provinces of the Dominion of Canada, before the expiration of six months after the final passing of this Act, shall, before being entitled to registration, pass an examination as to his knowledge and skill for the efficient practice of Medicine, Surgery, and Midwifery, before the Examining Board appointed by the General Council, and obtain a degree or diploma from one of the Universities, or bodies mentioned in section IV of this Act, or from any other body or University which may be hereafter authorized to establish a Medical Faculty in connection therewith, and to grant degrees or diplomas in Medicine and Surgery in Canada, or from any other University or College, whose general and professional requirements may be accepted by the General Council as equivalent to its own, and such person having further proved to the satisfaction of the Board of Examiners, before whom he is examined, that he has complied with the rules and regulations made by the Council, and having paid such fees as the Council may determine, shall be entitled to be registered to practice Medicine, Surgery, and Midwifery in any part of the Dominion of Canada.

XXII. All persons registered under the Imperial "Medical Act" 21 and 22 Vict., Chap. 90, or under any Act amending the same, shall be entitled to registration under this Act, and shall enjoy all benefits appertaining to such registration, provided the same privileges be accorded to registered members of the College of Physicians and Surgeons of the Dominion of Canada in Great Britain.

XXIII. When any Medical diploma, degree or title, granted by any University, College, or body in Great Britain, or in any British possession, other than the Dominion of Canada, or in any foreign country is granted in the respect of the like degree of knowledge and the like education to that which is required for obtaining registration under this Act, the General Medical Council may from time to time place such diploma, degree or title, upon a list to be kept and published by them, and if at

any time any such Medical diploma, degree or title cease to be granted in respect of such like degree of knowledge or education as aforesaid, they may remove the same from such list.

All holders of any Medical diploma, degree or title, placed upon such list, shall be entitled to be registered under this Act, with or without examination, and on such terms as the General Medical Council may from time to time determine.

No person who has obtained any such Medical diploma, degree or title before the same is added to such list or the earlier date, if any, (whether before or after the passing of this Act) fixed by the General Medical Council, shall be entitled to be so registered, and the removal of any diploma, degree, or title from such list shall not deprive any person entitled to be registered before such removal of his right to be so registered.

Where the General Medical Council are satisfied of the eminent professional acquirements and character of any person who for more than ten years has been practising Medicine or Surgery in the United Kingdom of Great Britain, or in any British possession or foreign state, they may, by a special order, direct such person to be registered under this Act, and such person may be registered accordingly.

XXIV. At the first regular meeting of the General Council, after the final passing of this Act, and at the first regular meeting of the same after every Triennial Election, there shall be appointed by the members of the General Council a Board of Examiners, whose duty it shall be to examine and test the professional knowledge of all candidates for registration, in accordance with the by-laws, rules, and regulations of the General Council.

XXV. The Board of Examiners appointed under the preceding section, shall be composed as follows:—Two-thirds of the members of the Examining Board shall be elected from the incorporated Medical schools now existing in the Dominion of Canada, and from every other school of Medicine which may be hereafter organized in connection with any University or College, which is empowered by law to grant Medical and Surgical degrees or diplomas, each body being represented as far as possible by an equal number; and one-third shall be chosen from among the members of the College of Physicians and Surgeons of Canada, not employed in teaching or examining in any of the above teaching bodies.

XXVI. The General Council shall have power and authority to appoint examiners to institute and conduct the examination of Medical students in preliminary or general education, and to make by-laws and regulations for determining the admission and enrolment of students; and the examiners shall be persons engaged in general teaching, and officially connected with the University, Colleges, or Seminaries of the Dominion.

The following shall be the subjects for such preliminary examination:—Compulsory: English or French language, according to nationality of student, including grammar and composition; history, geography, arithmetic, including vulgar and decimal fractions; including algebra, simple equations; geometry, first two books of Euclid; Latin, translation and grammar; and one of the following optional subjects: Greek; French or English, according to nationality of student; German; natural philosophy, including mechanics, hydrostatics, and pneumatics.

(2.) Any Graduate in Arts of any University in Her Majesty's Dominions shall not be required to pass the examination in general education.

XXVII. The General Council shall have power and authority to fix

and determine, from time to time, a curriculum of Professional studies to be pursued by Medical students, of which the following shall be the minimum :—

Descriptive Anatomy, Practical Anatomy, Chemistry, Materia Medica, Institutes of Medicine, consisting of Physiology and General Pathology, Theory and Practice of Medicine, Principles and Practice of Surgery, Midwifery, and Diseases of Women and Children, of each of which two courses of six months shall be required :

Clinical Medicine and Clinical Surgery, of each of which one course of six months, or two courses of three months, shall be required ; Botany, Medical Jurisprudence, Practical Chemistry, and Public Hygiene, of each of which one three months' course shall be required :

Practical Pharmacy, for a period of three months—attendance during twelve months, the practice of a general hospital, where the daily average of in-door patients is not less than fifty :

Attendance on the practice of a lying-in hospital for six months, or evidence of having attended six cases of Midwifery.

The time of commencing the Professional education of Medical students shall date from the time of having passed the preliminary examination required under this Act, and shall extend over a period of not less than four years.

Such curriculum of studies shall be observed and taught, and the above period occupied in Professional study shall be adhered to by all Universities or bodies referred to in section 4 of this Act; Provided always, that the above duration of Professional education and curriculum of preliminary and professional studies shall, before being altered, first receive the approval of the Governor General in Council, and be published twice in the *Canada Gazette* and in each one of the Medical journals published in the several Provinces of the Dominion, and that no change in the foregoing curriculum at any time existing shall come into effect until six months after its first publication in the said *Canada Gazette*.

XXVIII. It shall not necessarily be incumbent upon the Medical Council to recognize any Medical school in the Dominion of Canada not in operation at the time of passing this Act.

XXIX. The General Council shall, from time to time, as occasion may require, enact orders, regulations or by-laws for regulating the Register to be kept under this Act, and the fees to be paid for registration; and shall, from time to time, make rules and regulations for the guidance of the Board of Examiners, and may prescribe the subjects and mode of examination, the times of holding the same, and generally make all such rules and regulations in respect of such examinations, not contrary to the provisions of this Act, as they may deem expedient and necessary; such examinations to be oral, written and practical.

XXX. Any person entitled to be registered under this Act, but who shall neglect or omit to be so registered, shall not be entitled to any of the rights or privileges conferred by the provisions of this Act, so long as such neglect or omission continues.

XXXI. If the Registrar shall wifully make, or cause to be made, any falsification in any matters relating to the Register he shall incur a penalty of fifty dollars, and shall be disqualified from again holding that position.

XXXII. Every person registered under this Act, who may have obtained any higher degree, or any qualification other than the qualification in respect of which he may have been registered, shall be entitled to have such higher degree or additional qualification inserted in the

Register in substitution for, or in addition to, the qualification previously registered, on the payment of such fee as the Council may appoint; provided such higher degree or additional qualification receive the approval of the General Council, either by vote or by-law.

XXXIII. No qualification shall be entered on the Register either on the first registration, or by way of addition to a registered name, unless the Registrar be satisfied by proper evidence that the person claiming is entitled to it; and any appeal from the decision of the Registrar may be decided by appeal to the General Council; and any entry which shall be proved to the satisfaction of the General Council, to have been fradulently or incorrectly made, may be erased from the Register by order in writing of the General Council: Provided always, that in the event of the Registrar being dissatisfied with the evidence adduced by the person claiming to be registered, he shall have the power, subject to an appeal to the Council, of refusing the said registration, until the person claiming to be registered shall have furnished such evidence, duly attested by oath or affirmation before any Justice of the Peace in the Province in which he resides.

XXXIV. Every person who shall be registered under this Act shall be entitled, according to his qualifications, to practice Medicine, Surgery and Midwifery, or any of them, as the case may be, in any part of the Dominion of Canada, and to demand and recover in any Court of Law, with full costs of suit, reasonable charges for professional aid, advice and visits, and the cost of any Medicine, or other Medical or Surgical appliances rendered or supplied by him to his patients, and for Medical testimony in Courts of Law, and for written Medical certificates: Provided always, that no person not entitled to registration, within six months after the commencement of this Act, shall be registered upon any single qualification as that of Physician or Surgeon or Accoucheur, but must have passed the examination in Medicine, Surgery and Midwifery, and complied with the other requirements mentioned in Clause XXII of this Act, as qualifying for registration. When a person has obtained, before the passing of this Act, a qualification to practice in Medicine, or in Surgery, or in Midwifery, or in any two of these departments, but not in all of them, such person may be admitted to the examinations under this Act on such special terms as may be provided on that behalf by the General Council.

XXXV. The Registrar of the General Council shall from time to time, under the direction of the General Council, cause to be printed and published a correct Register of the names in alphabetical order, according to the surnames, with the respective residences, in the form set forth in Schedule B to this Act, or to the like effect, together with the Medical titles, diplomas and qualifications conferred by any college or body, with the dates thereof, of all persons appearing on the Register as existing on the day of publication; and such Register shall be called "The Medical Register," and a copy of such Register for the time being, purporting to be so printed and published as aforesaid, shall be *primâ facie* evidence in all Courts, and before all Justices of the Peace and others, that the persons therein specified are registered accordtnp to the provisions of this Act; and the absence of the name of any person from such copy shall be *primâ facie* evidence that such person is not registered according to the provisions of this Act: Provided always that in the case of any person whose name does not appear in such copy, a certified copy under the hand of the Registrar of the General Council,

of the entry of the name of such person on the Register, shall be evidence that such person is registered under the provisions of this Act.

XXXVI. Any registered member of the Medical profession who shall have been convicted of any felony in any court, or who shall, after due enquiry, be judged by the General Council to have been guilty of infamous conduct in any professional respect, shall thereby forfeit his right to registration, and, by the direction of the General Council, his name shall be erased from the Register; or in case a person known to have been convicted of felony, or judged guilty of such infamous conduct, shall present himself for registration, the Registrar shall have power to refuse such registration.

XXXVII. No person shall be entitled to recover any charge in any Court of Law for any Medical or Surgical advice, or for attendance, or for the performance of any operation, or for any Medicine which he shall have prescribed or supplied, unless he shall prove upon trial that he is registered under this Act.

XXXVIII. Every person registered under this Act shall be exempt, if he shall so desire, from serving on all juries and inquests whatsoever, and from all corporate township offices, and from serving in the militia.

XXXIX. No person shall be appointed as Medical Officer, Physician, or Surgeon in any Branch of the Public Service in any of the Provinces of the Dominion of Canada, or in any Hospital or other Charitable institution in any of the aforesaid Provinces not supported wholly by voluntary contributions, unless he be registered under the provisions of this Act.

XL. No certificate required by any Act now in force, or that may hereafter be passed in any part of the Dominion of Canada, from any Physician or Surgeon or Medical Practitioner, shall be valid unless the person signing the same be registered under this Act.

XLI. If any person shall willfully procure or attempt to procure himself to be registered under this Act, by making or producing or causing to be made or produced any false or fraudulent representation or declaration, either verbally or in writing, every such person so offending, and every person knowingly aiding and assisting him therein shall incur a penalty of fifty dollars, and on default of payment be committed to the common gaol for not less than thirty days.

XLII. Any person who shall willfully and falsely pretend to be a Professor of Medicine, Professor of Surgery, Physician, Doctor of Medicine, Bachelor of Medicine, Licentiate in Medicine and Surgery, Master of Surgery, Surgeon, or General Practitioner, or shall falsely take or use any name, title, addition or description implying that he is a Physician, Surgeon, or Accoucheur, or a Licentiate in Medicine, Surgery or Midwifery or a Practitioner in Medicine, if unable to establish the fact by legal proof shall, upon a summary conviction before any Justice of the Peace, for any such offence, pay a sum not exceeding one hundred dollars, nor less than twenty-five dollars, and on default of payment be committed to the common gaol for not less than thirty days.

XLIII. The General Council may take proceedings against any person for the contravention of Clauses XLI and XLII of this act, and no prosecution for the contravention of these sections shall be instituted by any private person, except with the consent of the General Council,—and all penalties imposed by this Act shall be recoverable, with full costs of suit by the Council, in the name of the College of Physicians and Surgeons of the Dominion of Canada.

XLIV. Any sum or sums of money arising from conviction and recovery of penalties as aforesaid shall be paid to the Treasurer of the Council.

XLV. All notices and documents required by this Act to be sent, may be transmitted by post, and shall be deemed to have been received at the time when the letter containing the same would have been delivered in the ordinary course of post; and in proving such sending, it shall be sufficient to prove that the letter containing the notice or document was pre-paid, and properly addressed and put in the post. Notices and documents may be in writing or in print, or partly in writing and partly in print.

XLVI. The General Council may make representations to the Governor General in Council upon sanitary subjects, and when called upon shall give its opinion respecting matters touching the Public health.

XLVII. The provisions of this Act shall not extend to Manitoba, bu as regards that Province or any other that may be hereafter added to the Dominion of Canada, it shall be competent for the Governor General in Council, on the recommendation of the General Council and with consent of such Province or Provinces, to extend the provisions of this Act to such Province or Provinces, the representation in Council of such additional Province or Provinces to be proportionate to that of the Provinces now to be represented by the terms of this Act.

XLVIII. All Acts in the several Provinces of the Dominion of Canada inconsistent with this Act are hereby repealed.

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